

A-243

CIVIL AIR REGULATIONS

CIVIL AERONAUTICS BOARD

PART 02—TYPE AND PRODUCTION CERTIFICATES



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EXPLANATORY STATEMENT CONCERNING SUSPENSION AND REVOCATION OF CERTIFICATES ISSUED UNDER THIS PART

The Civil Aeronautics Board is authorized under section 609 of the Civil Aeronautics Act of 1938 to suspend or revoke type and production certificates. The Administrator, under the same section of the Act, is authorized in cases of emergency to suspend such certificates in whole or in part for a limited period. In so doing he is required to notify immediately the holder and file a complaint with the Board, in which proceeding the holder is entitled to a hearing.

Certificates may be suspended if the interest of the public so requires, or may be revoked for any cause which at the time of revocation would justify the Administrator in refusing to issue to the holder a like certificate. Any deliberate misrepresentation in the application or in the submission of any information accompanying the application, or in any statement or report required of a certificate holder under these regulations, may be grounds for the suspension or revocation of a certificate.

In addition to the above grounds, production certificates may be suspended or revoked for any of the following reasons:

1. Willful violation on the part of the manufacturer of any portion of the Civil Aeronautics Act or any regulation promulgated thereunder relating to the production of articles authorized by the production certificate.
2. Demonstration of incompetency, carelessness or negligence, or the willful use of inferior or improper materials in the manufacture of articles covered by the certificate.
3. Failure of the manufacturer to maintain adequate facilities and personnel to assure the airworthiness and conformity of articles produced.
4. Refusal of the manufacturer to submit to inspection upon proper demand by a representative of the Administrator, or to render any reasonable assistance in connection therewith.

02.0 GENERAL

02.00 Definition. The term "product" as used in this Part shall mean:

- (a) an aircraft,
- (b) an aircraft engine,
- (c) a propeller, or
- (d) any appliance specified in the Civil Air Regulations as eligible for a type or production certificate.

02.1 TYPE CERTIFICATES

02.10 Application. The application for a type certificate for a specified product shall be made upon a form prescribed and furnished by the Administrator.

02.11 Requirements for issuance. The applicant shall submit with the application, or within a reasonable time thereafter, such drawings and other technical data concerning the design, material, specifications, construction, and performance of the product as may be

required by the Administrator to show compliance with the pertinent Parts of the Civil Air Regulations.

A product or components thereof shall be subjected to such tests as the Administrator may prescribe, consistent with the pertinent Parts of the Civil Air Regulations.

One article of the product shall be completed prior to the issuance of a type certificate, and shall meet such standards as are required by the pertinent Parts of the Civil Air Regulations.

02.12 Duration. A type certificate shall remain in effect until such time as it is cancelled, suspended, revoked, or a termination date is fixed by the Board.

02.13 Transferability and licensing. A type certificate is transferable, and the benefits of such certificate may be extended by licensing arrangements. In the event of any transfer or licensing arrangement the person making the transfer or granting the license shall immediately notify the Administrator in writing. Upon the termination of any licensing arrangement the grantor of the license shall immediately notify the Administrator in writing.

02.2 PRODUCTION CERTIFICATES

02.20 Application. The application for a production certificate shall be made upon a form prescribed and furnished by the Administrator and shall specify only a product for which a type certificate has been issued.

The application shall be accompanied by a report which will include at least the following:

- (a) a description of the manufacturing lay-out and production flow,
- (b) a listing and description of any special processes required by the design of the product to be manufactured,
- (c) a description of the established quality control organization, its functions and responsibilities, and
- (d) if the application is for the manufacture of an aircraft, a description of the flight test procedure established by the manufacturer for the testing of production aircraft and a copy of the flight-test checklist to be used.

02.21 Requirements for issuance. The applicant shall hold a currently effective type certificate for the product to be manufactured, or shall hold a current right to the benefits of such certificate under a licensing arrangement.

Upon receipt of the application with supporting information, and after an inspection of the applicant's organization and production facilities, the Administrator shall issue a production certificate if he finds that the applicant is adequately prepared to manufacture the product and to control its quality to the extent that each article will conform with the design provisions of the pertinent type certificate.

02.210 Production limitation record. The benefits of a production certificate shall be available only with respect to the type certificate or certificates set forth in the currently effective production limitation record, prescribed and issued by the Administrator, which shall constitute a part of the production certificate.

02.22 Duration. A production certificate shall remain in effect until such time as it is cancelled, suspended, or revoked, a termination date is fixed by the Board, or the location of the manufacturing facilities is changed.

02.220 Changes. The holder of a production certificate shall immediately notify the Administrator in writing of changes in the basic organization, methods, procedures, facilities, or location of the facilities which may affect the conformity of quality control of the product manufactured.

02.23 Transferability. A production certificate is not transferable.

02.24 Amendments. The holder of a production certificate desiring the addition of another type certificate to the production certificate shall submit an application on a form provided by the Administrator for that purpose.

The application shall be accompanied by a report describing clearly all additional facilities, methods, or processes required by the particular design of the product to be manufactured under the type certificate to be added.

When, on the basis of the procedure specified in § 02.21, the Administrator finds the facilities, methods, and processes adequate he shall include the additional type certificate in the production limitation record.

02.3 TYPE AND PRODUCTION CERTIFICATE RULES

02.30 Display. Type certificates shall be made available for examination by representatives of the Administrator or the Board. Production certificates shall be prominently displayed in the main office of the factory.

02.31 Cancellation. Type and production certificates may be cancelled upon the written request of the holder thereof.

02.32 Surrender. Upon the cancellation, suspension, revocation, or termination of a type or production certificate, the holder thereof shall, upon request, surrender such certificate to an authorized representative of the Administrator.

02.33 Inspection. A product manufactured under a type certificate only shall, and a product manufactured under both type and production certificates may, be required to undergo inspection by a representative of, or a person designated by, the Administrator, to determine whether individual products conform with the provisions of the pertinent type certificate.

A representative of the Administrator shall be permitted to make such inspections as may be necessary to determine compliance with the requirements of this Part of the Civil Air Regulations.

02.34 Statement of conformity. The holder of a type certificate or of a current right to the benefits of a type certificate under a licensing arrangement, upon the initial transfer by him of the ownership of any aircraft manufactured under such type certificate, shall furnish to a duly authorized representative of the Administrator a statement of conformity for such aircraft on a form prescribed and furnished by the Administrator, except that a statement of conformity shall not be required if the aircraft is manufactured for United States registry under the terms of a production certificate.

02.35 Production reports. On the first day of January and July of each year, and at such other times as the Administrator may require, every holder of a production certificate, a type certificate, or a current right to the benefits of a type certificate under a licensing arrangement, shall transmit to the Administrator a detailed production report on a form prescribed and furnished by the Administrator. Such reports shall be transmitted whether or not any product had been manufactured during the period covered by the report.

02.36 Identification. Each article manufactured under the terms of a type or production certificate shall display permanently such data as may be required to show its identity. Such data shall include at least the following items where applicable:

- (a) Manufacturer's name.
- (b) Type-certificate number.
- (c) Production-certificate number.
- (d) Model designation.
- (e) Manufacturer's serial number when article is serially numbered, or the date of manufacture, except where both are specifically required.
- (f) Capacity or rating.